Coast Guard, DOT § 154.1325

§154.1228(a), the availability of specified resources to apply the dispersants and to monitor their effectiveness. The extent of the credit for dispersants will be based on the volumes of the dispersant available to sustain operations at the manufacturers' recommended dosage rates. Other spill mitigation techniques, including mechanical dispersal, may be identified in the response plan provided they are in accordance with the NCP and the applicable ACP. Resources identified for plan credit should be capable of being on scene within 12 hours of a discovery of a discharge. Identification of these resources does not imply that they will be authorized for use. Actual authorization for use during a spill response will be governed by the provisions of the NCP and the applicable ACP.

# §154.1228 Methods of ensuring the availability of response resources by contract or other approved means.

- (a) When required in this subpart, the availability of response resources must be ensured by the following methods:
- (1) The identification of an oil spill removal organization with specified equipment and personnel available within stipulated response times in specified geographic areas. The organization must provide written consent to being identified in the plan;
  - (2) A document which--
- (i) Identifies the personnel, equipment, and services capable of being provided by the oil spill removal organization within stipulated response times in the specified geographic areas;
- (ii) Sets out the parties acknowledgment that the oil spill removal organization intends to commit the resources in the event of a response;
- (iii) Permits the Coast Guard to verify the availability of the identified response resources through tests, inspections, and drills;
- (iv) Is referenced in the response plan;
- (3) Active membership in a local or regional oil spill removal organization that has identified specified personnel and equipment required under this subpart that are available to response to a discharge within stipulated response times in the specified geographic areas;

(4) Certification by the facility owner or operator that specified personnel and equipment required under this subpart are owned, operated, or under the direct control of the facility owner or operator, and are available within stipulated response times in the specified geographic areas; or

(5) A written contractual agreement with an oil spill removal organization. The agreement must identify and ensure the availability of specified personnel and equipment required under this subpart within stipulated response times in the specified geographic areas.

(b) The contracts and documents required in paragraph (a) of this section must be retained at the facility and must be produced for review upon request by the COTP.

### Subpart I—Response Plans for Other Non-Petroleum Oil Facilities

SOURCE: CGD 91-036, 61 FR 7932, Feb. 29, 1996, unless otherwise noted.

### §154.1310 Purpose and applicability.

This subpart establishes oil spill response planning requirements for an owner or operator of a facility that handles, stores, or transports other non-petroleum oils. The requirements of this subpart are intended for use in developing response plans and identifying response resources during the planning process. They are not performance standards.

## §154.1320 Response plan submission requirements.

An owner or operator of a facility that handles, stores, or transports other non-petroleum oils shall submit a response plan in accordance with the requirements of this subpart, and with all sections of subpart F of this part, except §§154.1045 and 154.1047, which apply to petroleum oils.

#### §154.1325 Response plan development and evaluation criteria for facilities that handle, store, or transport other non-petroleum oils.

(a) An owner or operator of a facility that handles, stores, or transports other non-petroleum oils must provide information in his or her plan that identifies—